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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CASE NO. 2:99-cr-00107-WBS
)	
Plaintiff,)	
)	GOVERNMENT'S MOTION TO DISMISS
v.)	INDICTMENT; [PROPOSED] ORDER
)	THEREON
FRANK J. SINGER, JR.,)	
)	
Defendant.)	
)	
)	

Pursuant to Rule 48 of the Federal Rules of Criminal Procedure, the United States hereby moves the Court, in the interest of justice, for an order dismissing the Indictment in this case against Frank J. Singer, Jr.. The defendant apparently fled the jurisdiction in June 1997 after subpoenas were served at his place of business. An Indictment was handed down in March 1999 charging him in four counts with subscribing to false personal and corporate tax returns covering

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1 tax years 1992-1994. He has never been apprehended.

2 DATED: February 10, 2011

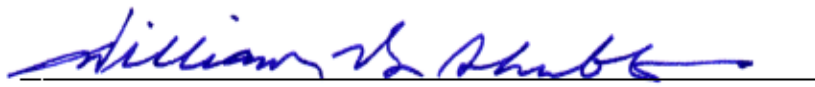
3 BENJAMIN B. WAGNER
4 United States Attorney

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6 By, /s/ John K. Vincent
JOHN K. VINCENT
7 Assistant U.S. Attorney

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11 O R D E R

12 The request for dismissal is DENIED, without prejudice to its
13 being renewed upon a showing that (1) there is no possibility that
14 defendant will be apprehended in the future; or (2) the government
15 lacks sufficient evidence to obtain a conviction in the event that
16 defendant is apprehended.

17 DATED: February 11, 2011

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20 WILLIAM B. SHUBB
21 UNITED STATES DISTRICT JUDGE
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